

April 2, 2020



JUDGMENT

The Fourteenth Court of Appeals

PHI VAN DO, Appellant

NO. 14-18-00600-CR

v.

THE STATE OF TEXAS, Appellee

This cause was heard on the appellate record. Having considered the record and the parties' arguments on appeal, this Court holds the record reveals reversible error in the judgment as appealed. Therefore, this Court orders the judgment **REVERSED** in part as to the issues sustained and **AFFIRMED** in part as to the issues overruled; **RENDERS** judgment that appellant is convicted of Class B misdemeanor Driving While Intoxicated instead of Class A misdemeanor Driving While Intoxicated; and orders the cause **REMANDED** for further proceedings limited to a new punishment hearing.

We further order this decision certified below for observance.

Judgment rendered April 2, 2020.

Panel consists of Justices Christopher, Spain, and Poissant. Opinion delivered by Justice Spain.